

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/552,221 04/19/00 SVARFVAR

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004955 MMC2/0815
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EXAMINER

DINH, T

ART UNIT	PAPER NUMBER
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2841

DATE MAILED:

08/15/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No.	Applicant(s)
	09/552,221	SVARFVAR ET AL.
	Examiner	Art Unit
	Tuan T Dinh	2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 19 April 2000.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 8-17 is/are pending in the application.

4a) Of the above claim(s) 1-7 is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 8-13, 15 and 16 is/are rejected.

7) Claim(s) 14 and 17 is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4</u> .	6) <input type="checkbox"/> Other: _____

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DETAILED ACTION

Applicant's election of **Group II in Paper No. 6** is acknowledged.

Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, **the election has been treated as an election without traverse (MPEP § 818.03(a)).**

Specification

The use of the trademark "**Raschel**" has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 12, lines 2-6, it is unclear. What is that meant "said fiber mesh net comprises a textile structure mesh net including....and spun

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multidirectional fiber mesh net" Does applicant mean that the textile structure mesh net **including all of** warp knitted, woven, Raschel, braided, non-woven, and sun multidirectional fiber mesh net **or including each one of them**.

Regarding claim 15, it is unclear. What is that meant "... and a specific weight of 10-50 grams per square meter" What cause to weight of 10-50 grams per square meter?

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 8-9 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Yenni, Jr. et al. (U. S. Patent 6,090,728).

As to claims 8 and 16, Yenni discloses an EMI shielding apparatus as shown in figures 1-2 for a portable electronic device characterized in that:

an electrically conductive fiber mesh net (12-figure 1, column 1, lines 23-34, and column 10, lines 19-33) insert molded (column 11, lines 4-9 and column 17, lines 5-27) into wall surfaces defining an interior cavity (see figure 2) of said electronic device; and

said cavity having a size shape and contour to surround first electronic circuitry within said electronic device (see figure 1).

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As to claim 9, Yenni discloses an EMI shielding apparatus as shown in figures 1-2 further characterized in that:

at least a portion of said insert molded electrically conductive fiber mesh net (12) is in a substantially continuous physical and electrical contact with a ground plane (16, column 10, lines 25-26) carried on a circuit board (18, column 10, line 26) within said electronic device.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-11 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yenni in view of Lamp et al (U. S. Patent 3,580,981).

As best understood, Yenni discloses all of the limitations of the claimed invention, except for the fiber mesh net being a bobbinet woven three directional. Lamp shows an EMI shielding gasket (13, column 2, line 52) as shown in figures 1-4 having a fiber mesh net (12, column 2, line 53) made by bobbinet woven in three directional (column 4, lines 11-32).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the EMI shielding apparatus of Yenni and provide

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the fiber mesh net (16) made by bobbinet woven in three directional as taught by Spies in order to dissipate of heat and facilitate the shielding against EMI.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yenni in view of Bruner et al (U. S. Patent 5,795,835).

As best understood, Yenni discloses all of limitations of the claimed invention, except for the fiber mesh net comprising a textile structure mesh net included at lest warp knitted. Bruner teach a warp knit textile mesh (10) as shown in figures 1-3.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the EMI shielding apparatus of Yenni and provide the warp knit textile mesh as taught by Bruner in order to construct a maximize strength of shielding structure and minimize leakage EMI from a shielding apparatus.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yenni in view of Yoshikawa et al. (U. S. Patent 6,150,754).

Yenni discloses all the limitations of the claimed invention, except for the fiber mesh net is laminated to a polymer film sheet. Yoshikawa teaches the fiber mesh net (3-figure 1, column 8, line 16) laminated to the polymer film sheet (4B-figure 1, column 8, line 20).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the EMI shielding apparatus of Yenni and provide the fiber mesh net laminated to the polymer film sheet as taught by Bruner in order to protect the apparatus and against the leakage of EMI.

Allowable Subject Matter

Claims 14 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Inowa et al., Sanders, Leach, Willibey et al., Homma et al., Schnegg, Bruner et al., and Stevenson et al. Disclose related art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan T Dinh whose telephone number is 703-306-5856. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 703-308-3301. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-3431 for regular communications and 703-308-3431 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

TD

August 9, 2001

A handwritten signature in black ink, appearing to read "J. M. O'Gaff".